

REMARKS

Claims 1 through 50 are currently pending in the application.

Claims 1 through 50 stand rejected.

Double Patenting Rejection Based on U.S. Patent 6,351,028 in combination with U.S. Patent No. 5,790,384 (please note: 5,790,384 is an IBM patent)

Claims 1 through 50 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 50 of U.S. Patent 6,351,028, in combination with U.S. Patent 5,790,384. In order to avoid further expenses and time delay, Applicants elect to expedite the prosecution of the present application by filing a terminal disclaimer to obviate the double patenting rejections in compliance with 37 CFR §1.321 (b) and (c). Applicants' filing of the terminal disclaimer should not be construed as acquiescence in the Examiner's double patenting or obviousness-type double patenting rejections. Attached are the terminal disclaimer and accompanying fee.

ENTRY OF AMENDMENTS

Applicant requests entry of this amendment for the following reasons:

The amendment is timely filed.

The amendment places the application in condition for allowance.

The amendment does not require any further search or consideration.

CONCLUSION

Claims 1 through 50 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



James R. Duzan
Registration No. 28,393
Attorney for Applicant(s)
TRASKBRITT, P.C.
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: January 14, 2005

JRD/nj:lmh

Document in ProLaw